

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA :
:
v. : CRIMINAL NO. 08-592
:
JOHN P. KAROLY, JR. :

O R D E R

AND NOW, this 25th day of August, 2010, upon consideration of Defendant John P. Karoly, Jr.'s motion to dismiss counts four, five, and six of the superseding indictment against all defendants with prejudice, and the government's reply, it is hereby ORDERED that:

1. Counts four, five, and six of the superseding indictment are dismissed against all defendants;
2. The dismissal of counts is with prejudice as to defendants John P. Karoly, III and John Shane; and
3. As to defendant John P. Karoly, Jr., the dismissal is without prejudice to the government to reinstate the dismissed counts only if defendant Karoly, Jr. (1) withdraws from, or successfully challenges, the guilty plea entered under the plea agreement, or (2) participates as a party or attorney, directly or indirectly, in the will contest lawsuit, Case Nos. 2007-0197 and 2007-0176, now pending in the Court of Common Pleas of Northampton County, Orphans Division, or any other litigation involving the estates of Peter J. Karoly and Lauren B. Angstadt. In all other respects, the dismissal as to Karoly, Jr. is with prejudice.

BY THE COURT:

/s/ LAWRENCE F. STENGEL
LAWRENCE F. STENGEL, J.